

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CALVIN ADONY MARIANO ESPINOZA et al.,

Plaintiffs,

-v-

EURO DESIGN AND STONE LLC et al.,

Defendants.
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20-CV-4381 (JMF)

ORDER

JESSE M. FURMAN, United States District Judge:

On October 22, 2020, well over twenty-one days after service of the Complaint, Plaintiffs filed an Amended Complaint. *See* ECF No. 27. Under Rule 15 of the Federal Rules of Civil Procedure, Plaintiffs may do so only with the opposing party's written consent or with leave of Court. Fed. R. Civ. P. 15(a)(2). "The court should freely give leave when justice so requires." *Id.* In light of Plaintiffs' letter of October 26, 2020, *see* ECF No. 29, the Court GRANTS Plaintiffs leave to amend their Complaint, effective *nunc pro tunc* to October 22, 2020.

In light of the Amended Complaint, the initial pretrial conference previously scheduled for September 15, 2020, *see* ECF No. 12, and later adjourned *sine die*, *see* ECF No. 26, is REINSTATED for **January 12, 2021, at 3:30 p.m.** The parties are reminded that, **no later than one week after an answer is filed**, the parties shall contact the Chambers of the assigned Magistrate Judge to schedule a settlement conference to take place **at least two weeks before the initial pretrial conference.** *See* ECF No. 12.

The Court's Order of September 11, 2020, setting a briefing schedule for any motion for default judgment and scheduling a show cause hearing, *see* ECF No. 26, is hereby VACATED.

SO ORDERED.

Dated: October 27, 2020
New York, New York



JESSE M. FURMAN
United States District Judge